

AMENDMENTS TO LB 917

Introduced by Banking, Commerce and Insurance Committee:

1           1. Strike original section 5 and insert the following new  
2 sections:

3           Sec. 5. Any waiver of the provisions of the Financial  
4 Data Protection and Consumer Notification of Data Security Breach  
5 Act of 2006 is contrary to public policy and is void and  
6 unenforceable.

7           Sec. 6. For purposes of the Financial Data Protection  
8 and Consumer Notification of Data Security Breach Act of 2006,  
9 the Attorney General may issue subpoenas, and may seek and recover  
10 direct economic damages for each affected Nebraska resident injured  
11 by a violation of the act.

12           2. On page 2, line 1, strike "6" and insert "7"; after  
13 line 23 insert the following new subdivision:

14           "(3) Encrypted means converted by use of an algorithmic  
15 process to transform data into a form in which the data is rendered  
16 unreadable or unusable without use of a confidential process or  
17 key;"; and in line 24 strike "(3)" and insert "(4)".

18           3. On page 4, line 10, strike "individual" and insert  
19 "individual's"; in line 11 strike "entities" and insert "entity's";  
20 and in line 24 strike "or".

21           4. On page 5, line 3, after "account" insert ";

22           (d) Unique electronic identification number or routing  
23 code, in combination with any required security code, access code,

1 or password; or

2 (e) Unique biometric data, such as a fingerprint,  
3 voice print, or retina or iris image, or other unique physical  
4 representation"; and strike lines 7 through 11 and insert the  
5 following new subdivision:

6 "(6) Redact means to alter or truncate data such that  
7 no more than the last four digits of a social security number,  
8 motor vehicle operator's license number, state identification card  
9 number, or account number is accessible as part of the personal  
10 information."

11 5. On page 6, line 12, after "breach" insert ", not  
12 including information proprietary to the individual or commercial  
13 entity".

14 6. On page 7, line 23, strike "a" and insert "the".

15 7. Renumber the remaining section accordingly.